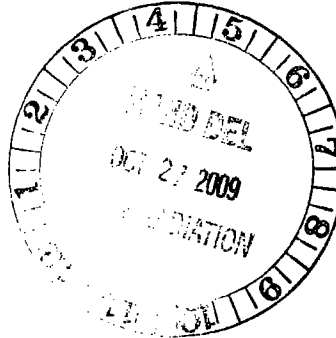




October 27, 2009

Dane Finerfrock
Co-Executive Secretary
Division of Water Quality
168 North 1950 West
Salt Lake City, UT 84114-4850



CD09-0284

Re: Ground Water Quality Discharge Permit No. UGW450005: Comment to Major Permit Modification

Dear Mr. Finerfrock;

In accordance with a public comment period published to close on October 28, 2009, the Division of Radiation Control has solicited comments on a major modification of EnergySolutions' Ground Water Quality Discharge Permit No. UGW450005. EnergySolutions has reviewed the Permit and accompanying Statement of Basis and notes the following comments:

Table 1B: Renumber footnotes to begin at #1.

Table 1E: Change Iodine-129 footnote superscript from 7 to 6. Change Radium-226+Radium-228 footnote superscript from 8 to 7.

Part I.D.1: Please add the initial startup date of 2005 for the Class A North cell to the footnote below the un-numbered table.

Part I.D.2: It appears that a paragraph break was inadvertently deleted, leaving the final paragraph of Part I.D.1 combined with the heading for Part I.D.2.

Table 2C: There appears to be a typographical error in the "Last Revision" column for drawing 04080-C01, rev. 3. The correct drawing date is 2/9/09.

Table 5: Under the Rotary Dump Facility, it appears drawing number 05006-SL101, Rev. 6 has been inadvertently deleted. The last revision date and title remain on the table; and the drawing and revision numbers should be restored.

Table 5: Under the Intermodal Container Wash Building, drawing number 05008-C102 appears to have a typographical error in the revision number "2 1". The correct reference is 05008-C102, Rev. 2.

Table 5: Under the Northwest Corner Evaporation Pond, there is a typographical error in the revision number for drawing 06021-C3. The correct reference is drawing 06021-C3, Rev. 5.

Page 21, header: From page 21 through 60, the header indicates Part I.I regardless of what section is actually on the page. Prior to page 21, the header accurately indicates the section. Please correct, as the header facilitates referencing information within the Permit.

Part I.E.3, page 21: The numbering sequence needs to be corrected. Part I.E.3, Prohibited Wastes begins on page 21. Page 22 begins with Part I.E.3, Failure to Construct as per Approval. The first instance of Part I.E.3 should be Part I.E.2.

Part I.E.11: In the last sentence, the reference to Part I.H.10 should be Part I.H.8.

Part I.E.25: The numbering sequence appears to be wrong; this may be a relic of presenting the Permit changes in redline/strikeout.

Part I.F.1(a)(2): The correct designation is piezometer PZ-1; not GW-PZ1.

Part I.F.11: The following text discusses reporting requirements rather than monitoring requirements, and should be moved to Part I.H.10:

The objective of this report shall be to show that the meteorological assumptions made in the infiltration and unsaturated zone modeling used to support issuance of the Permit were conservative or representative of the actual conditions at the site. In addition, and in conjunction with an application for permit renewal, 180 days before expiration of the Permit, the Permittee shall submit a summary report of all meteorological data collected since issuance of the last Permit (minimum of 4 years of data). Said report shall compare the data observed against regional normal values, as available, and provide summary statistics of all meteorological data collected.

Part I.F.13(c): Reference to "...Part I.F.5.b.2 Table 1A..." is incorrect; the reference should be to Part I.F.5.c.2. Because Part I.F.5.c.2 incorporates Table 1A, this does not need to be repeated here.

Page 76: The Part G header is identified as Part H.

Part I.G.3: The outline numbering appears to be wrong at Part I.G.3.b; this may be a relic of presenting the Permit changes in redline/strikeout.

Part I.H.2(c): Please delete the word "reports" from the second sentence "...Said summaries reports shall...".

Part I.H.2(d)(2): The August 31, 2004 letter referenced in the last sentence was a response to DRC comments regarding the 2003 2nd Semi-Annual Ground Water Report, not the 2004 2nd Semi-Annual Ground Water Report.

Part I.H.3(a): The reference to Part I.F.5(b)(2) should be Part I.F.5(c)(2).

Part I.H.4, I.H.7, I.H.8, I.H.9, and I.H.16: We suggest re-wording to "...7 calendar days..." in order to prevent any potential for confusion over interpretation of "...5 business days...".

Part I.H.20(b): The two lists itemized under this item duplicate daily monitoring requirements provided at Part I.F.24. Please consider revising to simply state: "Stormwater Management – the BAT Semi-annual report shall include daily stormwater monitoring records generated pursuant to Part I.F.24."

Part I.I.4: In the first sentence, change "study report for Antimony and Thallium for all wells at the facility" to "study report for Antimony and Thallium for all LARW, Class A, Class A North, and evaporation pond wells". Antimony and thallium are not monitoring parameters for 11e.(2) and Mixed Waste wells in the GWQDP.

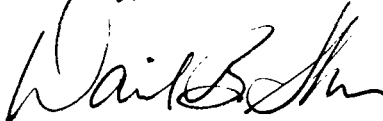
Part II.A: Please revise the title of Appendix B from "Ground Water Monitoring Quality Assurance/Quality Control Plan" to "Water Monitoring Quality Assurance Plan" to be consistent with the remainder of the Permit.

Part IV.I.3 and IV.I.4: There appears to be an extraneous paragraph break splitting the sentence.

Appendix G Cover Sheet: Please update to reflect the currently approved effective date of October 31, 2008.

Please contact me with questions or concerns at (801) 649-2000.

Sincerely,



Sean McCandless
Director of Compliance and Permitting

cc: Loren Morton, DRC
Charles Bishop, DRC

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.